**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (LODG)NO.758 OF 2007**

Dinesh Bhoja Shetty ....Petitioner

V/s.

State of Maharashtra & Ors. ....Respondents

Mr.D.B. Savant with Rajiv Deokar for Petitioner.
Mr.N. Dinkar Rao for Respondent No.5,, 6 & 7.
Mr.K.R. Belosey Acting G.P. for State.

**ALONGWITH**
**WRIT PETITION (LODG)NO.786 OF 2007**

Shivprasad Manjunath Shetty ...Petitioner

v/s.

The State of Maharashtra & Ors. ...Respondents

Mr.D.B. Savant with Rajiv Deokar for Petitioner.
Mrs.V.B. Thadani Thadani with Ms. K.M. Bhatia for Respondent No.5,, 6 & 7.
Mr.K.R. Belosey Acting G.P. for State.

**CORAM : V.M. KANADE, J.**
**DATED : 3rd May, 2007.**

**P.C.:**

1. Learned counsels for the Respondents submit that the Petitioners have an alternate remedy to file an appeal against the

impugned order which is passed by the Inspector of State Excise. Learned counsel for the Petitioners, therefore, seeks permission to withdraw these petitions with liberty to file appeal before Appropriate Authority.

2. The Petitions are, accordingly allowed to be withdrawn with liberty to the Petitioners to file appeal before the Appropriate Authority. If the appeal is filed within two weeks from today, the Appropriate Authority shall hear the appeal on merits and in accordance with law. Interim order granted by this court to continue for a period of three weeks with liberty to the Petitioners to make a fresh application for interim relief before the Appropriate Authority. Both the petitions are disposed of with liberty as prayed.

3. If appeal is filed by the Petitioners herein, the Appropriate Authority shall decide the same as expeditiously as possible.

**V.M. KANADE, J.**